

Appl. No. 10/728,386
Amdt. dated December 30, 2005
Reply to Office action of October 5, 2005

Remarks/Arguments:

Reconsideration of the application is requested.

Claims 1-9 remain in the application. Claims 1, 8, and 9 have been amended.

In item 2 on page 2 of the above-identified Office action, claim 2 has been objected to because of the following informalities.

The Examiner has stated that "the exposure drum" should read "the exposer" to preserve the consistency of the claimed terminology. Claim 1 has been amended so as to facilitate prosecution of the application. Therefore, the objection to claim 2 by the Examiner is believed to have been overcome.

Should the Examiner find any further objectionable items, counsel would appreciate a telephone call during which the matter may be resolved. The above-noted changes to the claims are provided solely for cosmetic or clarificatory reasons. The changes are not provided for overcoming the prior art nor for any reason related to the statutory requirements for a patent.

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In item 4 on page 3 of the Office action, claims 1-2 and 5-9 have been rejected as being fully anticipated by Ohba (U.S. Patent No. 6,559,880 B2) under 35 U.S.C. § 102.

The rejection has been noted and the claims have been amended in an effort to even more clearly define the invention of the instant application. The claims are patentable for the reasons set forth below. Support for the changes is found on page 9, lines 12-19 of the specification.

Figs. 2 and 5 together show that the axis of rotation of the hinge is fixed and does not move during the tilting movement of the carrier plate. Because of the tilting movement about the axis of the hinge 23, the exposure heads 11 do not move on a straight line radially with respect to the exposure drum 1 but on part of a circular arc (page 11, lines 21-24).

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claims 1, 8, and 9 call for, *inter alia*:

the hinge having a fixed axis of rotation extending axially along the exposure drum and the hinge permitting a tilting movement of the carrier plate about the axis of rotation.

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The Ohba reference discloses scan exposure device having a drum (54), a base (118) and a stage (106). The base (118) holds an exposing head (92). A feed screw (160) moves the stage (106) and exposing head (92) in an axial direction. A positioning mechanism (94) moves the stage (106) towards and away from the drum (54).

The reference does not show the hinge having a fixed axis of rotation extending axially along the exposure drum and the hinge permitting a tilting movement of the carrier plate about the axis of rotation, as recited in claims 1, 8, and 9 of the instant application. The Ohba reference discloses a feed screw for moving the exposing head in an axial direction and a positioning mechanism for moving the exposing head to and away from the drum. Ohba does not disclose a hinge with a fixed axis of rotation extending along the exposure drum and the hinge permitting a tilting movement of a carrier plate about the axis. This is contrary to the invention of the instant application as claimed, in which the hinge has a fixed axis of rotation extending axially along the exposure drum and the hinge permitting a tilting movement of the carrier plate about the axis of rotation.

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Since claim 1 is believed to be allowable, dependent claims 2 and 5-7 are believed to be allowable as well.

In item 6 on page 4 of the Office action, claims 3-4 and 6 have been rejected as being obvious over Ohba (U.S. Patent No. 6,559,880 B2) in view of Jones (U.S. Patent No. 6,042,217) under 35 U.S.C. § 103. Jones does not make up for the deficiencies of Ohba. Since claim 1 is believed to be allowable, dependent claims 3, 4, and 6 are believed to be allowable as well.

Even though the claims are believed to be allowable, the following remarks pertain to the Jones reference.

The Jones reference discloses a print head positioner mechanism. The mechanism includes a tilt arm that moves the carriage and the print head away from the image receiving drum (column 2, lines 63-65). The Jones reference does not disclose a tilting movement of a carrier plate about a hinge with a fixed axis of rotation. This is contrary to the invention of the instant application as claimed, in which the hinge has a fixed axis of rotation extending axially along the exposure drum and the hinge permitting a tilting movement of the carrier plate about the axis of rotation. Therefore, neither Ohba nor Jones discloses a hinge having a fixed axis

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of rotation extending axially along the exposure drum and the hinge permitting a tilting movement of the carrier plate about the axis of rotation.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either show or suggest the features of claims 1, 8, or 9. Claims 1, 8, and 9 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-9 are solicited.

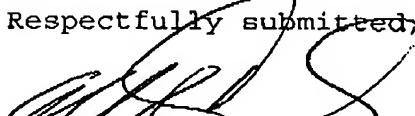
In the event the Examiner should still find any of the claims to be unpatentable, counsel respectfully requests a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

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Please charge any other fees which might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner &
Greenberg P.A., No. 12-1099.

Respectfully submitted,



For Applicant(s)

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